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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------|---------------------|------------------|
| 10/505,235 | 08/19/2004 | Nicholas Arthur Scott | RR-569 PCT/US | 3884 |
| 20427 | 7590 | 11/16/2005 | EXAMINER | |
| RODMAN RODMAN 7 SOUTH BROADWAY WHITE PLAINS, NY 10601 | | | AUGUSTIN, EVENS J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3621 | |

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|------------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/505,235 | SCOTT, NICHOLAS ARTHUR | |
| | Examiner | Art Unit | |
| | Evens Augustin | 3621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Status of Claims

1. Claims 1-27 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Planke (U.S 5902984), in view of Ranieri (U.S 6281886).

As per claims 1-27, Planke discloses an invention relates to a system for the sale of consumer goods, where the purchaser of an article at the place of purchase collects one or more non-validated card symbols of the article, where data carried on the symbol of the article are read and registered, where such data are converted to a price for the article which is paid by the purchaser of the article, where the purchaser of the article receives a validated symbol of the article, and where the article is dispensed to the purchaser at a dispensing location in return for his/her depositing the validated symbol of the article.

The computer system includes:

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- An optically readable card with data containing the item to be purchased in the form of a serial number (column 2, lines 12-16). The uniqueness of the serial number implies that is generated serially.
- A merchandise dispensing unit to dispense merchandise in accordance with the corresponding serial number (column 2, lines 17-18)
- A checkout unit (cash register), where the optically readable card is validated (column 2, lines 25-30)
- A comparator unit to reconcile the information received by dispensing unit (column 4, lines 26-29)
- The type of information in the card can be a bar code and magnetically readable code (column 3, lines 42-43), or EAN code (column 5, lines 41)
- After the card is validated at the check out unit, the validation signal is sent to the merchandise dispenser to be able to recognize and accept the validated card before dispensing the merchandise (column 4, lines 21-50, column)
- The ability to transmit the validation signal from the check out unit to the merchandise dispenser via a connection (column 4, lines 44-45, figure 1, items 9 and 15)
- The check out unit includes a scanner or a bar code reader (column 3, lines 49-51)

Planke did not explicitly describe a method/system in which the initial non-validated card/token/ticket is dispensed by a mechanism such as dispensing unit.

However, Ranieri describes an invention that relates to an information handling system

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by way of touchscreen terminals. The invention more particularly relates to the entering, displaying and processing of text of various human languages consisting of multi-byte characters when the text is entered by means of a touchscreen terminal keyboard into a programmed computer system (column 1, lines 5-12). Particularly, Ranieri's invention is applicable to self-service kiosks to provide the plurality of functions required in such an application, including touchscreen, speaker, digital video/audio, magnetic stripe/chip card reader, receipt printer, statement printer, laser printer, ticket printer, bankbook printer, PIN pad generic device (column 4, lines 63-67, column 5, lines 1-7).

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the applicant's invention to Planke's invention of a merchandise dispenser that validates/reads validation card/token/ticket with Ranieri's invention that relates to the entering, displaying and processing of text of various human languages consisting of multi-byte characters when the text is entered by means of a touchscreen terminal keyboard into a programmed computer system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the two inventions because it would provide for self-service terminals/kiosks which include touchscreens for entering into a computer system text and information consisting of multi-byte characters or multiple multi-byte characters of human languages as well as single byte character languages (column 3, lines 27-32).

Conclusion

4. *Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that if the applicant is preparing to respond, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.*
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - **Peters (US 5769269)** - The present invention relates to a computerized vending system for dispensing a variety of products, both on-site and at remote locations

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evens Augustin whose telephone number is 571-272-6860. The examiner can normally be reached on Monday thru Friday 8 to 5 pm.

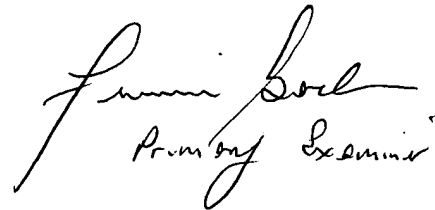
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammel can be reached on 571-272-6712.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-6584.

Evens J. Augustin
November 7, 2005
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Evens J. Augustin
Primary Examiner